IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH NOVEMBER 2007 / 22ND KARTHIKA 1929

Crl.Rev.Pet.No. 3856 of 2007()

CRA.158/2004 of SESSIONS COURT, PATHANAMTHITTA
CC.184/2002 of CHIEF JUDICIAL MAGISTRATE COURT,
PATHANAMTHITTA

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REVN. PETITIONER: APPELLANT/ACCUSED:

N.GOPINATHA PILLAI, GOKULAM HOUSE,
VALLICODE P.O., PATHANAMTHITTA.

BY ADV. SRI.P.VIJAYA BHANU
SMT.P.MAYA

RESPONDENTS: RESPONDENTS/COMPLAINANT AND STATE:

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1. M/S.ESSEN BANKER, THAVELATHIL BUILDINGS,
PATHANAMTHITTA, REPRESENTED BY M.K.DIVAKARAN,
MANAGING DIRECTOR, REPRESENTED BY HIS POWER OF
ATTORNEY HOLDER, M.K.VARADARAJAN.

2. STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR SRI.C.M.NAZAR
SRI.C.S.MANILAL

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 13/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Crl. R.P. No. 3856 OF 2007 B

Dated this the 13th day of November, 2007

O R D E R

The revision petitioner, who was the accused in C.C.No.184/2002 on the file of the CJM, Pathanamthitta for an offence punishable under section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the trial court for the said offence.

2. Pending this revision, the parties have settled the matter and have filed Crl.M.A.No.11789/2007 under section 147 of the Act for recording the composition entered into by them. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. The composition is recorded and it will have the effect of an acquittal within the meaning of section 320(8) Cr.P.C. Money, if any, deposited before the trial court by the revision petitioner pursuant to orders passed by the court shall be refunded to the revision petitioner/accused.

This revision petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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